

66722-090-7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) PATENT
Claus TIPSMARK et al.)
Serial No.: 10/581,599) GROUP: 2615
Filed: June 28, 2006)
COMMUNICATION DEVICE WITH) EXAMINER: ROBINSON, R. C.
RECEIVER ENCLOSURE)
CONFIRMATION NO. 3581)
CUSTOMER NO. 25269)
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SUBMISSION OF REPLACEMENT DRAWING SHEETS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 2, 2008

Sir:

The inventors herewith submit replacement first, second and third sheets of drawings for this application, together with annotated versions showing the changes made in red.

Entry is requested.

Respectfully submitted,

DYKEMA GOSSETT PLLC

By:



Richard H. Tushin
Registration No. 27,297
Franklin Square, Third Floor West
1300 I Street N.W.
Washington, DC 20005-3353
(202) 906-8680

R E M A R K S

By this Amendment the specification has been replaced with a substitute specification (marked/clean version) which contains numerous amendments to improve its description of the invention, no new matter has been introduced. Claims 1 and 2 have been canceled and replaced by new claim 9 which better defines the invention, claims 3-7 have been amended to better depend from claim 9, and claim 8 has been canceled. Entry is requested.

In the outstanding Office Action the examiner has rejected claims 1 and 7 under 35 U.S.C. 102(b) as being anticipated by Bøgeskov-Jensen, he has rejected claims 1 and 2 under 35 U.S.C. 102(b) as being anticipated by Gore et al., he has rejected claims 1 and 7 under 35 U.S.C. 103(a) as being unpatentable over Rosenstand, he has rejected claim 3 under 35 U.S.C. 103(a) as being unpatentable over Gore et al. or Bøgeskov-Jensen in view of Arndt et al., he has rejected claims 4 and 5 under 35 U.S.C. 103(a) as being unpatentable over Rosenstand, Bøgeskov-Jensen or Gore et al. in view of Sugino et al., he has rejected claim 6 under 35 U.S.C. 103(a) as being unpatentable over Rosenstand in view of Meyer, and he has rejected claim 8 under 35 U.S.C. 103(a) as being unpatentable over Gore et al. in view of Arndt et al.

The inventors assert that these rejections cannot be applied to new claim 9.

Gore et al. disclose a hearing aid wherein a receiver 17 is suspended by tubular region 52 and a tubular foot 53 within a casing. The suspension disclosed is not suggestive of the structural details of the communication device defined in applicants' new claim 9, which includes a generally L-shaped cover having first and second wall parts, the second wall part mounting a beam which supports a flexible extension pole, etc. And nothing in the cited secondary patents to Rosenstand, Arndt et al., or Meyer would overcome the deficiency in Gore et al.

The examiner's prior art rejections should be withdrawn and the application allowed.

Respectfully submitted,

DYKEMA GOSSETT PLLC

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Franklin Square, Third Floor West
1300 I Street N.W.
Washington, DC 20005-3353
(202) 906-8680